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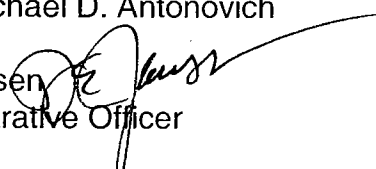
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April 14, 2005

To: Supervisor Gloria Molina, Chair  
Supervisor Yvonne B. Burke  
Supervisor Zev Yaroslavsky  
Supervisor Don Knabe  
Supervisor Michael D. Antonovich

From: David E. Janssen   
Chief Administrative Officer

**MOTION TO SUPPORT AB 856 (BASS) – EXTEND THE SUNSET DATE OF THE  
BALDWIN HILLS CONSERVANCY (ITEM NO. 8, AGENDA OF APRIL 19, 2005)**

Item No. 8 on the April 19, 2005 Agenda is a motion by Supervisor Burke that the Board go on record in support of AB 856 and instruct our legislative representatives in Sacramento to work toward its passage.

AB 856, as amended on April 6, 2005, extends the sunset date of the Baldwin Hills Conservancy (BHC) from January 1, 2008 to January 1, 2011, adds the Director of the Department of Conservation, or his or her designee, as a non-voting member of the BHC board, makes changes pursuant to the Bagley-Keene Open Meeting Act, and repeals the requirement that the BHC obtain and maintain liability insurance.

The Baldwin Hills Conservancy was created originally to develop the area for public recreation and the preservation of open space. Its boundaries include the Kenneth Hahn State recreational area and a large number of privately owned oil wells. According to the County Department of Parks and Recreation, adding a representative from the State Department of Conservation, which has a Division of Oil, Gas, and Geothermal Resources to oversee the drilling, operation, and maintenance of oil wells as part of its responsibility, would greatly benefit the BHC in any land acquisitions involving oil wells. Extending the sunset date will aid the BHC in its planning for acquisition, development, and restoration of this land. Therefore, **the Department of Parks and Recreation recommends support for AB 856, and we concur.**

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Other sections of AB 856 deal with public meetings and liability insurance. According to the Natural Resources Committee analysis, existing law requires the BHC to conduct its public meetings in accordance with the Brown Act which is commonly used by local government agencies and commissions. However, since the BHC is a State agency, its proceedings should be governed by the Bagley-Keene Open Meeting Act, the statute which is applicable to State agencies. A somewhat similar argument is applicable to the liability insurance requirement. As a State agency, BHC and its employees are covered by the California Tort Claims Act.

AB 856 was passed by the Assembly Committee on Natural resources on April 12, 2005 on a vote of 7 to 3. It was referred to the Assembly Committee on Appropriations and no hearing date has been set. The bill is supported by the Baldwin Hills Conservancy and the Sierra Club California and there is no opposition on file.

DEJ:GK  
MAL:ib

c: Executive Officer, Board of Supervisors  
County Counsel  
Department of Parks and Recreation